

**Letter Re: Status of Defendants Document Production**

May 4, 2015

**VIA ECF**

The Honorable Denise L. Cote  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 1610  
New York, NY 10007-1312

Re: *In re Credit Default Swaps Antitrust Litig.*, No. 13 MD 2476 (DLC)

Dear Judge Cote:

We represent the Plaintiff class in the above-captioned matter. We write with the consent of Defendants to update the Court regarding the status of Defendants' document production. Pursuant to the parties' Joint Initial Report, so ordered by Your Honor on September 18, 2014 (Docket Entry No. 334), the parties' deadline for substantial completion of document production is seven months from the service of document requests. Plaintiffs served such requests on the Dealer Defendants on September 25, 2014, on Defendants Markit Group Holdings Ltd. and Markit Group Ltd. (collectively "Markit") on October 1, 2014, and Defendant International Swaps and Derivatives Association ("ISDA") on October 3, 2014. As such, the Dealer Defendants' deadline for substantial completion was April 27, 2015, the deadline for Markit was May 1, and the deadline for ISDA is today.<sup>1</sup>

Defendants have represented that they have been making diligent efforts to meet the applicable production deadlines. Defendant Goldman Sachs has confirmed that it has substantially completed document production and Defendant ISDA has indicated that it is endeavoring to do so by its deadline. The remaining Defendants that have provided specific estimates have represented that they expect to substantially complete production over the course of the next four weeks, with certain limited exceptions that the parties already have identified in their discussions. A summary of Defendants' production status is included in the attached Appendix A.

In order that document and deposition discovery proceed expeditiously, the parties request that the Court set May 29, 2015 as Defendants' deadline for substantial completion of document production.<sup>2</sup>

The parties are available to discuss this matter with the Court should it have any questions.

---

<sup>1</sup> Defendants served such requests on Plaintiffs on October 22, 2014, and thus the deadline for Plaintiffs is May 22.

<sup>2</sup> With respect to production of materials in those categories Defendants have advised Plaintiffs cannot likely be completed within the additional four week period, the parties will continue to confer and to attempt to reach agreement on final completion dates. The parties each reserve the right to raise such issues with the Court, as necessary.

**The Honorable Denise L. Cote**

**May 4, 2015**

Respectfully submitted,

/s/ Jonathan Oblak

Jonathan Oblak

The Honorable Denise L. Cote

May 4, 2015

**Appendix A: Non-DOJ Documents Produced By Defendants**

<b><u>Defendant</u></b>	<b><u>Production Date</u></b>	<b><u>Production Bates Range</u></b>	<b><u>Projected Completion Date</u></b>
<b>Bank of America</b>	4.03.2015 4.20.2015 4.23.2015 4.27.2015	CDS_BOA_00000514 - CDS_BOA_00236374 CDS_BOA_00236375 - CDS_BOA_00509147 CDS_BOA_00509148 - CDS_BOA_01551386 CDS_BOA_01551387 - CDS_BOA_01551538	End of May
<b>Barclays</b>	4.24.2015  5.1.2015	BARCLAYSCDS00659187 - BARCLAYSCDS00744017 BARCLAYSCDS00744018 – BARCLAYSCDS00923412	End of May
<b>BNP Paribas</b>	4.27.2015	BNPP-CDS-00001014 - BNPP-CDS-00108816	End of May
<b>Citibank</b>	4.15.2015  4.24.2015  4.27.2015	CITI-CDSMDL-000454492 - CITI-CDSMDL-000464593 CITI-CDSMDL-000464594 - CITI-CDSMDL-000469588 CITI-CDSMDL-000469589 - CITI-CDSMDL-000490289	End of May
<b>Credit Suisse</b>	4.17.2015 4.27.2015	CS-CDS-MDL00925805 - CS-CDS-MDL00932979 CS-CDS-MDL00932980 - CS-CDS-MDL01310891	Not Provided
<b>Deutsche Bank</b>	4.27.2015 4.29.2015 5.1.2015	DB_CDS00000001 - DB_CDS00054856 DB_CDS00054857 - DB_CDS00086476 DB_CDS00086477 - DB_CDS00149852	End of May
<b>Goldman Sachs</b>	4.8.2015 4.24.2015 4.27.2015	GS-CDS-MDL04647276 - GS-CDS-MDL05087223 GS-CDS-MDL05087224 - GS-CDS-MDL07576495 GS-CDS-MDL07576496 - GS-CDS-MDL07576500	Substantially Complete
<b>HSBC</b>	4.27.2015	HSBC-CDS00001214 - HSBC-CDS00374402	Not Provided
<b>ISDA</b>	3.4.2015 4.10.2015	ISDACDS00226966 - ISDACDS00227584 ISDACDS00227585 - ISDACDS00364143	May 4, 2015
<b>JPMorgan</b>	4.20.2015 4.27.2015	JPMCCDS00000298 - JPMCCDS00504588 JPMCCDS00504589 - JPMCCDS00925481	Mid-End of May

The Honorable Denise L. Cote

May 4, 2015

<b>Markit<sup>3</sup></b>	4.21.2015	MKT-CDS-MDL006778652 - MKTCDS-MDL006907355	May 15, 2015
	5.1.2015	MKT-CDS-MDL006907356 -MKTCDS-MDL007698353	
<b>Morgan Stanley</b>	4.11.2015	MS-CDS00593374 - MS-CDS00789931	Mid-May
	4.17.2015	MS-CDS00789932 - MS-CDS01121471	
	4.21.2015	MS-CDS01121472 - MS-CDS01511583	
	4.23.2015	MS-CDS01511584 - MS-CDS02038375	
	4.27.2015	MS-CDS02038376 - MS-CDS02997696	
	4.27.2015	MS-CDS02997697 - MS-CDS03684324	
<b>RBS</b>	3.23.2015	RBS-CDS-0000000002 - RBS-CDS-0000000239	End of May
	4.16.2015	RBS-CDS-0000000240 - RBS-CDS-0000016656	
	4.21.2015	RBS-CDS-0000016657 - RBS-CDS-0000016896	
	4.27.2015	RBS-CDS-0000016897 - RBS-CDS-0000172653	
	4.27.2015	RBS-CDS-0000172654 - RBS-CDS-0000172885	
<b>UBS</b>	4.20.2015	UBSCDS00455137 - UBSCDS00480931	End of May
	4.27.2015	UBSCDS00480932 – UBSCDS00597192	
	4.29.2015	UBSCDS00597193 - UBSCDS00597649	
	5.1.2015	UBSCDS00597650 – UBSCDS00611919	

---

<sup>3</sup> As discussed at last week's conference, Plaintiffs and Markit were at an impasse regarding Markit's custodians and the date ranges of Markit's production. As of April 28, Markit represented that it expects to substantially complete production of documents from five custodians—three of which cover the time period from September 1, 2011 to December 31, 2013—by May 1, and to substantially complete productions from four other custodians—all of which cover the time period from September 1, 2011 to December 31, 2013—by May 15.